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LETTER DATED 5 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In compliance with paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of resolution 780 (1992), I have the honour to transmit to you herewith the information gathered by the French authorities concerning violations of humanitarian law, including grave breaches of the Geneva Conventions, committed in the territory of the former Yugoslavia.

This information was gathered partly in Zagreb and partly in Belgrade. That coming from Zagreb was provided by victims of the incidents or by European observers who conducted investigations or gathered testimony. That coming from Belgrade was drawn largely from the press or from military or church sources and is less detailed.

I am communicating the same information to the Secretary-General of the United Nations.

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(Signed) Jean-Bernard MERIMEE

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Annex

Information transmitted by France to the Security Council in compliance with paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of resolution 780 (1992)

The Security Council, by its resolution 771 (1992) of 13 August 1992, called upon States to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council. By its resolution 780 (1992) of 6 October 1992, it reaffirmed its call and requested that the information should be made available to the Commission of Experts which it had established

The information transmitted to the Security Council was gathered partly in Zagreb and partly in Belgrade. That coming from Zagreb was provided by victims of the incidents or by European observers who conducted investigations or gathered testimony. That coming from Belgrade was drawn largely from the press or from military or church sources and is less detailed. It therefore appeared preferable not to mix these two sets of information.

The information has been grouped by republic (Bosnia and Herzegovina, Croatia, Serbia) and by geographical area. Since the testimony in fact substantiates violations of humanitarian law of various categories committed at the same time, it was felt preferable for an understanding of the events to classify them not by category but by region.

The accounts thus testify to a process: occupation and destruction of a village, execution of some of the inhabitants, transfer of the others to camps where they are subjected to maltreatment and to very harsh conditions of detention, elimination of the most influential, and possible release or exchange of the others on condition that they abandon their property and declare that they will not return to their village. This process generally takes place in the context of a policy of ethnic cleansing.

Although the information transmitted has been carefully scrutinized, it should be cross-checked, verified and supplemented. Traces of the massacres and the camps must exist and the refugees can add their testimony.

It seemed preferable at this stage not to communicate the names of the witnesses or victims, or of any possible guilty parties. These details will be placed at the disposal of the Commission of Experts entrusted with investigating these crimes.

France will transmit to the Security Council and to the Commission of Experts any new piece of information communicated to it concerning violations of humanitarian law in the territory of the former Yugoslavia.

I. Information gathered at Zagreb

BOSNIA AND HERZEGOVINA

Villages of Kosterjevo and Drinjača, Zvornik municipality (to the north-east of Sarajevo), May 1992.

Statement by a Muslim inhabitant of Kosterjevo:

The village was totally destroyed. The women were raped. The inhabitants were then taken to Drinjača. The men were beaten and 35 of them executed. The women were again raped and then taken, together with boys aged under 15, off towards Zvornik. No one knows what became of them.

On 31 May, 150 women and children were taken off in two buses in the direction of Tuzla.

A list of 35 victims, aged between 17 and 70, follows.

The witness accuses the Chetniks and gives the names of three of their leaders.

Zaklopaca (near Vlasenica, to the north-east of Sarajevo), 16 May 1992.

Statements by five women from the same family and belonging to a group of some 50 women and children who were the only survivors of the massacre of the inhabitants of Zaklopača. The women are now refugees at Zagreb:

They give the names of 85 victims, including women and very young children who were shot dead with rifles or automatic weapons. Their bodies were allegedly buried together with those of the inhabitants of neighbouring villages. They mention no torture or ill-treatment.

The massacre was allegedly carried out by Chetniks who were looking for weapons. The names of some of them are given.

During their flight, they heard that the village of Drum had been burned and that the inhabitants of Dzamdzici had been executed.

Region of Kotor Varoš (to the south-east of Banja Luka), June 1992.

Statement by an inhabitant of Kotor Varoš, of Croatian origin:

On 11 June, Kotor Varoš was occupied by Serbian regular forces (JOS) from Banja Luka and Knin, together with Serbian paramilitary forces. Talks initiated several months previously to have Kotor Varoš attached to the Serbian Republic of Bosnia had failed.

On 12 June, the Muslim village of Hvacani was razed to the ground by artillery. Its inhabitants fled and the witness does not know what became of them.

The Croatian village of Bilice was also razed to the ground and 12 of its inhabitants allegedly killed.

During the occupation of Kotor Varoš, which lasted for several days, over 500 people were allegedly executed, according to estimates made by inhabitants responsible for burying the bodies. There are reported to be a large number of mass graves at Donji Varos and Vrbanjci.

The inhabitants of Večići fought back and allegedly killed 52 Serbian soldiers with the assistance of the inhabitants of Vrbanjci. All the inhabitants of the latter village were allegedly later executed.

On 13 June, Večići and Visevice were bombed by the federal army air force (JOS) who used toxic and scatter bombs, killing many inhabitants.

Part of the town of Kotoriste was allegedly destroyed by incendiary grenades and its inhabitants interrogated about their possession of weapons.

At least a hundred men from the region of Kotor Varoš were rounded up at the "Brtstvo Jedinstvo" primary school. At least one of them died as a result of the brutal treatment they suffered.

Many people were transported to Banja Luka prison and to Maslovare camp.

The witness names some of the victims, as well as those responsible for the ill-treatment.

Statement by a Muslim inhabitant:

He confirms the arrival of special forces on 11 June. He gives the date of the burials of the persons executed as approximately 20 June; the burials allegedly lasted for two days, with vehicles (tractor-drawn trailers?) bringing bodies "every five minutes".

He mentions the destruction of Rijevci, Vrbanjci and Harvacane.

The young men were arrested, the others were offered the choice of emigrating "if they had committed no offence against the Serbian Republic". They had to pay DM 35 and hand over their property.

A third testimony presents the events as a long-prepared takeover by the Serbs, because the town's population refused to allow it to be attached to Krajina:

Serbian men aged from 18 to 60 were allegedly forcibly conscripted. The "special forces" from Banja Luka were allegedly responsible for all the crimes committed, while the units of the Serbian army from Krajina (the former JNA) were posted around the town. According to the witness, returnees from the Croatian front, who were inhabitants of Burce and who were illegally wearing the uniform of JOS, spread terror.

Starting on 11 July, the first people were allowed to leave in exchange for giving up their property and promising not to return. Over 300 people allegedly left the town in this manner.

Between 300 and 400 men aged from 18 to 40 are allegedly prisoners.

Stara Gradiška and Manjača camps, May to July 1992

Testimony of a prisoner, a 23-year-old worker exchanged in July 1992, who states that he was beaten daily during his internment from 12 May to 12 June at Stara Gradiška and from 12 June to 17 July at Manjača. He is suffering from serious respiratory problems, as his pulmonary pleura was punctured.

Omarska and Manjača camps, June to August 1992

Testimony of an imprisoned priest:

After being subjected to repeated intimidation, he was taken on 16 June to Kereterm, where he was beaten, and from there, on the following day, to Omarska. He was subjected to beatings from the moment of his arrival and incarcerated in one of the rooms of the so-called "White House", where torture and executions were carried out. Twenty prisoners, all injured and some with broken limbs, were crammed into this 4 x 2 metre space. Deprived of water, they were forced to drink their urine.

The witness's condition was such that he remained unconscious for several days, before rejoining most of the 2,500 other prisoners. They spent the nights crammed 100 to a room, and the days lying face-down on the road, the guards trampling on anyone who moved. Many of them died in this place.

The ill-treatment worsened when the guards were drunk.

Every night, between 10 and 15 men were taken away and executed. It is alleged that 1,300 prisoners, mostly intellectuals, died.

The witness was tortured to make him denounce "extremists" from his village and admit that lorries delivering food for Caritas Internationalis were transporting arms.

On 6 August, the prisoners were divided into 2 groups and 30 buses arrived from Prijedor to transport them to Manjača camp. The witness was placed, together with 97 other persons, in a bus with tightly sealed windows. The passengers were given no water and only those who drank their urine survived.

At Manjaca, the prisoners were accorded better treatment, particularly after the visit by the International Committee of the Red Cross (ICRC).

The witness was released on 27 August.

Prijedor (to the north-west of Banja Luka), May to July 1992

Testimony of a woman doctor, gathered by the Group responsible for gathering evidence of war crimes, attached to the office of the Bosnia and Herzegovina Government at Zagreb:

According to a guard at Omarska, formerly a neighbour of the family, all the prominent citizens of Prijedor, such as doctors, lawyers and judges, are imprisoned in the town. His own father has been imprisoned since 23 May. Executions are being carried out.

All the Muslims and Croats of Prijedor were deported after the Yugoslav armed forces entered the town.

On 1 July, a group of prisoners from Omarska were transferred to Trnopolje. There, as many as five children die every day, primarily from diarrhoea, because of the lack of water.

Appended is a list of the names of some 50 internees.

Kozarac region (to the north-west of Banja Luka), May 1992, Omarska and Trnopolje camps

Testimony of a Muslim doctor aged 28, from Kozarac, interviewed at Karlovac in Croatia, after his evacuation from Trnopolje camp:

On 24 May, Serbian forces began an artillery bombardment which lasted two days and killed 300 people.

Following the bombardment, Serbian commandos reportedly penetrated the town, finishing off the wounded and killing 700 people with grenades or sub-machine guns, including women and children. Most of the bodies were left where they were or thrown into the Omarska iron mine.

The persons responsible for these massacres have been identified.

On 27 May, three columns of 300 people, mostly women and children, were lined up on the outskirts of Kozarac. A tank standing 150 metres away fired into the midst of the crowd, killing about 60 people. The wounded were finished off.

The Muslim survivors from the district were interned in Omarska camp, which had 8,000 detainees, and Trnopolje camp, in which 6,000 women and children were detained.

The worst excesses took place at night, when the regular guard was relieved by special militias called "Red Serbs". Every night there were shootings, in which men and women were killed indiscriminately, and women were raped. About 15 people were executed every day.

Following the evacuation of Trnopolje camp by ICRC and the Office of the United Nations High Commissioner for Refugees (UNHCR) on 1 October, a further 1,500 people turned up at the camp, believing that it was being used as a transit centre, and were then detained there in the same conditions. The names of the main perpetrators of these massacres are listed.

Kereterm (suburb of Prijedor), May 1992

Testimony of a doctor from Kozarac:

On about 30 May, 500 Bosnian men were confined in a disused factory in Kereterm. One night, 150 of them were allegedly machine-gunned. Forty wounded men allegedly disappeared. The survivors were transferred to Trnopolje.

Vlasic (Travnik region, to the north-west of Sarajevo), August 1992

Testimony of a doctor from Kozarac:

On 21 August, the guards at Trnopolje camp announced the transfer to Travnik of certain prisoners. Two hundred people, including 50 to 70 women and children, rushed to board the four buses provided for that purpose. Two of these buses stopped at Vlasic and their passengers were executed in small groups, outside the bus, by sub-machine gun fire. A dozen managed to escape.

Bosanski Brod, October 1992

Eight hundred Croats and Muslims are believed to have remained in the town after its fall, while 7,000-8,000 took refuge in Croatia. It is alleged that the Serbs are carrying out executions in the town, but the reports have not been confirmed.

Violence against women

Many depositions testify to sexual violence and humiliation suffered by women, usually Muslims. These acts are part of a deliberate attempt to undermine the women's dignity. The women are generally released afterwards, sometimes when they are pregnant.

The following places of detention have been indicated: Visegrad (in hotels), Brezovi Polje (Brcko district), Petkovica, Bosanska Dubica, Jesenca (near Bosanska Krupa), Kemengrad (near Sanski Most), Sekovici (near Tuzla), Vracan, Svrake (Vogosca quarter) and also in the vicinity of Kotor Varoš, Bihac (Ripac village) and Prijedor (Tescic village).

CROATIA

Vicinity of Podravska Slatina (Virovitica region), mid-December 1991

Findings of a French officer, a member of the European Community Monitoring Commission:

Hum village: several houses burned, five people killed; the bodies removed.

Vocin village: 24 corpses of men and women, mostly old people, killed by a bullet in the head or by an automatic weapon, or with their throats cut, in their houses or nearby. The younger people had been tortured before their death (eyes or teeth torn out, nose or ears cut off).

Almost all the houses, the hospital and the church have been destroyed.

A Chetnik flag was found nearby. The Croatian troops reached Vocin on 15 December. The information about these massacres dates from 14 December.

A religious ceremony was held at Podravska Slatina with the Bishop of Zagreb in attendance. A list of victims is said to exist.

A number of people are said to have disappeared.

Vukovar, 20 November 1991

Testimony of the doctor in charge of the hospital:

After taking possession of the town, Serbian troops rounded up 2,823 civilians who were marched in a column to camps, collective farms for the most part, located on the left bank of the Danube.

The 277 people in the hospital (180 wounded, 45 sick civilians and refugees, 43 members of the hospital staff) were taken by lorry to unknown destinations.

Some of the 3,100 people who disappeared from Vukovar are being detained, according to their families, in disused coal mines in Vojvodina. Others are being kept at farms in the vicinity of Vukovar. Some have been executed.

II. Information gathered at Belgrade

(The source of this information is indicated in brackets)

BOSNIA AND HERZEGOVINA

Sijekovac (vicinity of Bosanski Brod), 28 March 1992

Murder of five Serbian families.

(Yugoslav Red Cross)

Kupres, 14 April 1992

Two mass graves with 54 bodies of Serbs killed by Croatian units.

(Banja Luka corps command)

Bosanska Gjela, 14 June 1992

Murder of 23 Serbs and burning of houses.

(Novi Sad TV)

Vicinity of Bosanski Brod, 19 June 1992

Murder and rape, particularly in Sijekovac village.

(Press)

Bradina (vicinity of Konjic), 28 June 1992

Murder of part of the population by Croatian/Muslim units.

(Orthodox Church)

Tasovcici, Klepci and Pilles, 2 July 1992

About 15 Serbs killed.

(Refugees cited by TANJUG)

Dretelj (near Capljina, camp for Serbs), 17 July 1992

Serbs tortured, prisoners beaten and tortured, 20 women raped by Croats.

(Two prisoners and the information service of the Herzegovina military corps)

Bogodol and Goranci (on the Neretva), 3 August 1992

Inhabitants expelled by Croatian forces.

(Local Red Cross)

Pozarnica, 15 August 1992

Sixteen Serbs killed after having been used as "living shields" in the territorial defence forces of Bosnia and Herzegovina.

(Church)

Unkovici, Kolakovici, Osija, Vujinovici, Rudjica (vicinity of Kalinovik), 16 August 1992

Burning of five Serbian villages, murder of several villagers.

(Serbian army of Bosnia)

Zivinice and Tuzla, 27 August 1992

Serbs tortured, beaten; rapes.

(Serbian Orthodox Church)

Stupari, Banovici, Kladanj and Tuzla camps, 27 August 1992

Torture.

(Orthodox Church)

Mostar, 31 August 1992

Discovery of mass graves with 200 civilians, mostly Muslims, killed by Serbian irregular forces.

(Reuters, Borba)

Gorazde, 4 September 1992

Shots fired at buses during the flight of the Serbian civilian population; 21 killed.

(One of the bus passengers)